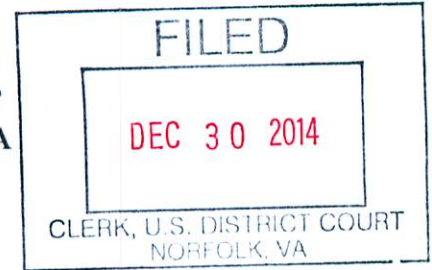


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division



WILLIAM KEITH WININGEAR, ET AL

Plaintiff,

v.

Civil Action No. 2:12cv560

CITY OF NORFOLK, VIRGINIA,

Defendant.


ORDER

This matter is before the Court on Plaintiffs' November 25 Status Report, Doc. 138. On July 8, 2014, the Court held a settlement hearing in this hybrid FLSA collective action/Rule 23 class action. Doc. 136. The Court approved the settlement, and entered a written Opinion and Order on July 14, 2014 dismissing the case with prejudice and retaining jurisdiction to enforce the settlement. Doc. 137. As part of the settlement agreement, a \$10,000 reserve fund was established to address "data errors ... or unanticipated costs[.]" Id. at 8. The Court ordered the parties to submit a report concerning the disbursement of the reserve fund within 134 days of the Court's July 14 Opinion and Order. Id. at 12. The Status Report addresses these disbursements.

A total of \$13,658.59 was paid out of the reserve fund to six police officers. Doc. 138 at 1. Two of the errors related to confusion between a father and son's records, two were transcription or mathematical errors, and two were time errors made by officers deemed by counsel to be credible. Although only \$10,000 was set aside as a reserve, the excess funds were paid from Plaintiffs' counsel's fee share. Id. As these disbursements were consistent with the settlement agreement and the Court's July 14 Opinion, the Court **APPROVES** the disbursement.

The Clerk is **REQUESTED** to electronically send a copy of this Order to all counsel of record.

It is so **ORDERED**.

/s/
Henry Coke Morgan, Jr.
Senior United States District Judge
HENRY COKE MORGAN, JR. 
SENIOR UNITED STATES DISTRICT JUDGE

Norfolk, Virginia
Date: December 30, 2014